



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**ARMY CONTRACTING AGENCY**  
**U.S. ARMY CONTRACTING ELEMENT, PACIFIC**  
**BUILDING T115**  
**FORT SHAFTER, HAWAII 96858-5430**

SFCA-PRB-S

1 Oct 03

MEMORANDUM FOR Army Contracting Agency, Pacific Region, Contracting Activities

SUBJECT: Pacific Region Implementation Memorandum (PRIM) 04-04, Agency and General Accounting Office (GAO) Protests

1. The Army Contracting Agency (ACA) Acquisition Instruction (AI), Section 9.1, requires the Principal Assistant Responsible for Contracting (PARC) to manage protest actions for the ACA. This memorandum provides ACA Pacific Region (ACA-PR) procedures for reporting agency and GAO protest information.
2. Any reference to submitting electronic version of documents or e-mail to ACA-PR shall mean sending these electronic documents to Administrative Assistant, Office of the PARC (OPARC), ACA-PR, with copy furnished to Deputy Director, OPARC, ACA-PR.
3. Within three business days of receipt of the notice of protest, submit an electronic version of the following documents to ACA-PR.
  - a. A synopsis of the protest. The synopsis will provide a summary of the protest developed by the local legal advisor and the contracting officer. After review, ACA-PR will forward the synopsis of the protest to ACA Contract Policy and Support Directorate (SFCA-CP).
  - b. A copy of the agency or GAO protest (only if it is evident that ACA-PR has not received the GAO protest notification).
4. Upon resolution of agency protest, the following documents shall be sent through e-mail to ACA-PR.
  - a. The advice pertaining to the resolution provided by the supporting legal office.
  - b. The Contracting Officer's signed statement.
  - c. If not included in the Contracting Officer's statement in Para 4(b) above, a statement explaining whether Alternative Dispute Resolution was considered, offered, or rejected.

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5. Upon receipt of notice of resolution from GAO, the following documents shall be sent through e-mail to ACA-PR. ACA-PR will transmit necessary documentation to SFCA-CP as required by ACA AI.

a. Within four business days following receipt of notice of resolution:

(1) The notice of resolution, if available, which is usually a letter from the GAO to the Army advising of the decision, with the decision attached.


(2) A synopsis of the protest action and decision. This synopsis will include a brief summary of the protest and decision with a statement as to what action the Contracting Officer will take in response to the any GAO recommendations. This document should be jointly prepared by the legal advisor and the Contracting Officer.

(3) A copy of the GAO decision, if not attached to above-mentioned notice of resolution.

b. Within 15 calendar days following receipt of notice of resolution, a Bid Protest Action Report required by Army Federal Acquisition Regulation Supplement ( AFARS) 5133.190-1 will be forwarded to Office of the Chief Trial Attorney with copy to ACA-PR.

6. Each RCO shall provide the information required by AFARS 5133.103-90(a), (b) and (d) for the Annual Agency Bid Protest Report through e-mail to ACA-PR by 16 October (or the first business day thereafter if the 16<sup>th</sup> is not a business day). ACA-PR consolidate the information for submission to SFCA- CP.

7. For additional information regarding PRIM 04-04, please contact Mr. Jesse Blackwell, SFCA-PRB-S, Commercial (808) 438-3526, DSN 438-3562, e-mail: [blackwellj@shafter.army.mil](mailto:blackwellj@shafter.army.mil).

  
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Responsible for Contracting